

AO 120 (Rev. 2/99)

TO: Commissioner of Patents and Trademarks Washington, DC 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court Central District - Eastern Division on the following ☒ Patents or ☒ Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT Central District of California	
PLAINTIFF Heeling Sports Limited		DEFENDANT Airrollershoes.com, Kyle Mulvey, Sebastian Trifiro and Does 1-10, inclusive	
EDCV07-0318 VAP (OP)			
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 6,406,038	6/18/02	Heeling Sports Limited	
2 6,739,602	5/24/04	Heeling Sports Limited	
3 6,746,026	6/8/04	Heeling Sports Limited	
4			
5			

FILED
2007 MAR 19 PM 3:06
CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input checked="" type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Answer	<input checked="" type="checkbox"/> Cross Bill	<input checked="" type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
1					
2					
3					
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK ADRIENE MORRIS	DATE SEP 10 2008

Copy 1—Upon initiation of action, mail this copy to Commissioner
Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner

DOCKETED ON 9/10/08

COPY

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11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA- EASTERN DIVISION
13

14 Heeling Sports Limited,

15 Plaintiff,

16 v.

17 Air Roller Shoes, et al.

18 Defendants.

Case No. EDCV 07-318 VAP (OPx)

AMENDED JUDGMENT
PURSUANT TO DEFAULT

Court: Hon. Virginia A. Phillips
Date: June 23, 2008
Time: 10:00 a.m.

19 This cause having come before this Court on the motion of Plaintiff Heeling
20 Sports Limited ("Heeling" or "Plaintiff") for damages pursuant to default and
21 permanent injunction against Defendants Air Roller Shoes, Kyle Mulvey and
22 Sebastian Trifiro (collectively "Defendants");

23 AND, the Court having read and considered the pleadings, declarations and
24 exhibits on file in this matter and having reviewed such evidence as was presented in
25 support of Plaintiff's Motion;

26 AND, GOOD CAUSE APPEARING THEREFORE, the Court finds the
27 following facts:
28

1 Plaintiff is the owner of all rights in and to certain patents including, but not
2 limited to United States Patent No. 6,406,038 ("the '038 Patent"), United States Patent
3 No. 6,739,602 ("the '602 Patent"), and United States Patent No. 6,746,026 ("the '026
4 Patent") (collectively "the Patents"), and all such Patents, and patent claims therein,
5 are valid and enforceable.

6 At all relevant times Heeling has been and is now the sole and exclusive
7 assignee and owner of all right, title, and interest to the Patents.

8 Heeling has not granted Defendants or to any of them any license or permission
9 to use or exploit any of its patents, including the '038, '602 and the '026 Patents.

10 Defendants engage in the unauthorized business of importing, distributing,
11 offering for sale and sale of wheeled shoes directly infringing and inducing the
12 infringement of the Patents ("Unauthorized Product") online on AirRollerShoes.com
13 and also in the City of Ontario, California and County of San Bernardino, among other
14 places.

15 Defendants' importing, advertising, displaying, promoting, marketing,
16 distributing, providing, offering for sale and selling of the Unauthorized Product was
17 engaged in willfully and intentionally, without leave or license from Plaintiff, in
18 violation of Plaintiff's rights in and to the Patents.

19 Therefore, based upon the foregoing facts, and

20 GOOD CAUSE APPEARING THEREFORE, THE COURT ORDERS in
21 addition to the Permanent Injunction already ordered in this matter, that this Judgment
22 shall be and is hereby entered in the within action as follows:

- 23 1) This Court has jurisdiction over the parties to this action and over the subject
24 matter hereof pursuant to 35 U.S.C. §§ 101 *et seq.*, 28 U.S.C. §§ 1331 & 1338.
25 2) Service of process was properly made on the Defendants.
26 3) Defendants have distributed, sold, and offered for sale unauthorized, infringing
27 products covered by Plaintiff's Patents that infringe upon the Patents.
28

- 4) A reasonable royalty of Fifteen (\$15.00) per pair was established for the sale of 4,628 pairs of the Unauthorized Product.
- 5) Defendants are ordered to pay damages to Plaintiff pursuant to 35 U.S.C. § 284 in the sum of Sixty-Nine Thousand Four Hundred Twenty Dollars (\$69,420.00) in patent damages.
- 6) Defendants are ordered to pay Four Thousand Three Hundred Seventy-Six Dollars and Eighty Cents (\$4,376.80) for attorneys' fees and costs pursuant to 35 U.S.C. § 285 and Local Rule 55-3.
- 7) Defendants are ordered to pay post-judgment interest on the principal amount of the judgment to Plaintiff at the statutory rate pursuant to 28 U.S.C. § 1961(a).
- 8) This Judgment shall be deemed to have been served upon Defendants at the time of its execution by the Court.
- 9) The Court finds there is no just reason for delay in entering this Judgment and, pursuant to Fed. R. Civ. P. 54(a), the Court directs immediate entry of this Judgment against Defendants.
- 10) The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Judgment.

DATED: August 29, 2008

Virginia A. Phillips
Hon. Virginia A. Phillips
Judge, United States District Court,
Central District of California

PRESENTED BY:
J. Andrew Coombs, A Prof. Corp.

By: /s/ Annie S. Wang
J. Andrew Coombs
Annie S. Wang
Attorneys for Plaintiff Heeling Sports Limited